

---

---

## SENATE BILL No. 267

---

### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-7-3-2.

**Synopsis:** Subdivision plats in counties without zoning. Allows the county executive of a county that does not have a plan commission to set minimum lot sizes and restrictive covenants for a subdivision within the county executive's jurisdiction.

**Effective:** July 1, 2003.

---

---

### Skillman

---

---

January 9, 2003, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.

---

---

C  
o  
p  
y



First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## SENATE BILL No. 267

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. IC 36-7-3-2 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) A person who lays out a  
3 subdivision of lots or lands outside the corporate boundaries of any  
4 municipality shall record a correct plat of the subdivision in the office  
5 of the recorder of the county before selling any lots in the subdivision.  
6 The plat must show public places, public ways, and the length, width,  
7 and size of each lot. Lots shown on the plat must be regularly  
8 numbered.  
9       (b) The certificate of a registered land surveyor certifying the  
10 correctness of the plat must be attached to the plat. This certificate  
11 must include a description, by metes and bounds, of the location of the  
12 plat.  
13       (c) Before offering a plat for record under this section, a person  
14 must acknowledge it before an officer authorized by law to take and  
15 certify ~~acknowledgements~~ **acknowledgments** of deeds. The officer  
16 shall then attach to the plat a certificate of the acknowledgment, which  
17 must be recorded with the plat.



C  
o  
p  
y

1 (d) Before offering a plat for recording under this section, a person  
2 must file a copy of the plat in the county auditor's office and must  
3 submit the plat for the approval of the county executive. **The county**  
4 **executive may set the minimum lot size and restrictive covenants**  
5 **for a subdivision within the county executive's jurisdiction.** The  
6 county recorder may record the plat only if a certificate showing the  
7 approval of the county executive is attached to it. If the record of a plat  
8 is not executed and approved as required by this subsection, it is void.

C  
o  
p  
y

